

REMARKS

Claims 1-6, 8, 15, 16, and 19-24 were pending in the application at the time the Office Action was mailed. Claim 21 is amended to recite the feature of dependent claim 22, and therefore the amendment to claim 21 does not raise new issues that would require further consideration and/or search, and does not raise the issue of new matter. Furthermore, the amendment to claim 21 will place the application in better form for appeal by simplifying the issues for appeal. Accordingly, this amendment should be entered. Claim 22 is canceled, and no new claims are added. Accordingly, claims 1-6, 8, 15, 16, 19-21, 23, and 24 are pending.

The Examiner has rejected the claims as outlined according to the following table:

Claims	Basis	Reference
1, 4, 6, 15, 16, and 19	35 U.S.C. § 103(a)	Vrobel and Clark
2, 3, 5, and 21-23	35 U.S.C. § 103(a)	Vrobel and Clark and Smith
8, 20, and 24	35 U.S.C. § 103(a)	Vrobel and Clark and Isaacs

Applicant respectfully disagrees with these rejections. Nevertheless, applicant has amended claim 21 to clarify the claimed subject matter.

Independent claim 1 is directed to a method for providing tools for manipulating an object. Claim 1 recites:

if the pointer is stationary over the object for a threshold length of time, displaying a second toolset, the second toolset providing a second set of handles for manipulating the object differently from the manipulation of the first set of handles

Vrobel does not teach or suggest this feature of claim 1, for at least the reason that Vrobel does not teach or suggest "displaying a second toolset" that provides "a second set of handles." According to the Examiner, Figure 4A of Vrobel depicts displaying a second toolset providing a second set of handles. At first glance, the Examiner would appear to be correct. However, a closer reading of the portion of Vrobel that describes Figure 4A proves that the Examiner is incorrect, and that Vrobel does not teach or suggest displaying such a second toolset. Vrobel actually describes that the profile handles 261-265 (which the Examiner asserts correspond to the claimed second toolset) are only displayed individually, and not collectively. According to Vrobel:

The profile handles 261-265 are not automatically displayed upon entering the shape profile editing mode, but rather are displayed in response to cursor roaming proximate the respective positions of the profile handles 261-265.

(Vrobel, at 8:28-32, emphasis added.) Because Vrobel describes that a profile handle is displayed in response to cursor roaming proximate the position of the profile handle, since the cursor cannot be proximate to more than one profile handle position at a time, more than one profile handle cannot appear at a time. Therefore, only one of Vrobel's profile handles 261-265 can be displayed at a time. This does not correspond to "displaying a second toolset" that provides "a second set of handles" as recited in claim 1, because a single profile handle does not correspond to a set of handles. For at least this reason, Vrobel does not teach or suggest all the features of claim 1. The other applied references fail to cure this deficiency. Accordingly, independent claim 1 and dependent claims 2-6 and 8 are patentable over Vrobel and the other applied references.

Independent claim 15 recites:

if the pointer is positioned over the graphic for a threshold length of time, displaying a second toolset, the second toolset providing a second set of handles operative to perform a second type of operation on the graphic

For at least the reasons discussed above with respect to claim 1, Vrobel does not teach or suggest this feature of claim 15, and the other applied references fail to cure this

deficiency. Accordingly, independent claim 15 and dependent claims 16, 19, and 20 are patentable over Vrobel and the other applied references.

Claim 21 has been amended to recite:

a component that, when the pointer is stationary over the object for a threshold length of time, displays a second toolset, the second toolset providing a second set of handles for manipulating the object differently from the manipulation of the first set of handles, wherein the accessibility of the first toolset is maintained while the second toolset is displayed, wherein maintaining accessibility of the first toolset comprises repositioning the first toolset to provide space for the second toolset;

As discussed above with respect to claims 1 and 15, Vrobel does not teach or suggest "a component that ... displays a second toolset" that provides "a second set of handles." Furthermore, as noted by the Examiner, Vrobel does not explicitly disclose maintaining accessibility of the first toolset. (Office Action, page 6, paragraph 3.) The Examiner asserts that Smith and Clark cure this deficiency, but the Examiner is incorrect. Even assuming, for the sake of argument, that Vrobel's profile handles 261-265 correspond to the claimed second toolset providing a second set of handles, the profile handles 261-265 *cannot* be displayed simultaneously with the handles 221-226 (which the Examiner asserts correspond to the claimed first toolset providing a first set of handles). This is because Vrobel teaches that the user toggles or cycles from the sizebox editing mode (in which handles 221-226 are displayed) to the shape profile editing mode (in which profile handles 261-265 can be displayed). (See Vrobel at 8:8-20.) The only logical implication of this toggling or cycling is that the two modes are mutually exclusive. In other words, a user cannot simultaneously be in both the sizebox editing mode with one set of handles available and the shape profile editing mode with another set of handles available. It necessarily follows that the accessibility of handles 221-226 *cannot* be maintained when one of profile handles 261-265 is displayed.

Since Clark describes displaying tool tips that provide more detailed information about tools, (see Clark at 1:43-53), at best the combination of Vrobel and Clark and Smith

suggests that more detailed information about the first set of handles would be displayed. Therefore, one skilled in the art would not combine Vrobel, Clark, and Smith and arrive at a display of both toolsets at the same time, especially since Vrobel makes it clear that only one toolset is displayed at a time.

Furthermore, amended claim 22 recites "wherein maintaining accessibility of the first toolset comprises repositioning the first toolset to provide space for the second toolset." The Examiner asserts that Smith describes this feature, (Office Action, page 6, paragraph 3), but the Examiner is incorrect. Smith actually describes repositioning a spot paragraph 3), but the Examiner is incorrect. Smith actually describes repositioning a spot interface if it is dragged too close to the edge of a display (i.e., the edge of a display window) such that a portion of a secondary interface is not available. (Smith, at 4:30-35.) This does not correspond to "wherein maintaining accessibility of the first toolset comprises repositioning the first toolset to provide space for the second toolset." Therefore Smith does not teach or suggest "wherein maintaining accessibility of the first toolset comprises repositioning the first toolset to provide space for the second toolset."

For at least these reasons, the Examiner cannot maintain a *prima facie* case of obviousness for claim 21. Accordingly, the rejection of claim 21 and dependent claims 23 and 24 must be withdrawn.

Based on the above amendments and remarks, applicants respectfully request reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 418268836US from which the undersigned is authorized to draw.

Dated: 8-27-07

Respectfully submitted,

By Maurice J. Piro
Maurice J. Piro

Registration No.: 33,273
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant